

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEAN LYONS,

Plaintiff,

v.

IFOODDECISIONSCIENCES, INC.,

Defendant.

CASE NO. C24-01079JLR

ORDER

Before the court is iFoodDecisionSciences, Inc.’s (“iFoodDS”) motion for judgment on the pleadings. (Mot. (Dkt. # 9); *see also* Reply (Dkt. # 11.) Plaintiff Sean Lyons did not respond to iFoodDS’s motion. (*See generally* Dkt).

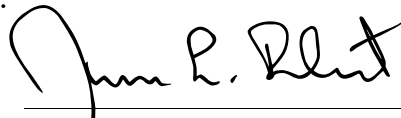
Mr. Lyons pleads two causes of action in his complaint related to the termination of his employment with iFoodDS (*see* Compl. (Dkt. # 1-1) ¶¶ 74-110), both of which iFoodDS seeks to dismiss for several independent reasons (*see* Mot. at 4-6). Pursuant to this District’s Local Civil Rules, the court may consider Mr. Lyons’ failure to respond to

1 iFoodDS's motion "as an admission that the motion has merit." Local Rules W.D. Wash.
2 LCR 7(b)(2).

3 Having reviewed Mr. Lyons' complaint and iFoodDS's motion, the court is
4 convinced that Mr. Lyons' complaint fails as a matter of law. *See Fleming v. Pickard*,
5 581 F.3d 922, 925 (9th Cir. 2009) (setting forth the standard of review for motions for
6 judgment on the pleadings under Federal Rule of Civil Procedure 12(c)). Following his
7 termination from iFoodDS, Mr. Lyons signed a Release and Waiver of Claims
8 Agreement, pursuant to which Mr. Lyons agreed to "release and discharge" iFoodDS
9 "from any and all actions, causes of action, liabilities, claims, debts, and other
10 obligations . . . related to . . . (2) the termination of [his] employment with" iFoodDS.
11 (Joffe Decl. (Dkt. # 10) ¶ 2, Ex. A ("Release").) Mr. Lyons received a severance
12 payment as consideration for his execution of the Release. (*Id.* at 2-3; Compl. ¶ 30.) Mr.
13 Lyons therefore waived his right to file a lawsuit against iFoodDS in connection with his
14 termination.

15 The court therefore GRANTS iFoodDS's motion for judgment on the pleadings
16 (Dkt. # 9). The court DISMISSES Mr. Lyons' complaint, and this action, with prejudice
17 and without leave to amend.

18 Dated this 16th day of September, 2024.

19 
20 JAMES L. ROBART
21 United States District Judge
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